

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DENGE LEME GAHANO,

Petitioner,

v.

DANIEL M. RENAUD, et al.,

Respondents.

Case No. C20-1094-MJP-MLP

ORDER

This matter comes before the Court on a 28 U.S.C. § 2241 immigration habeas action. On March 1, 2021, Petitioner filed a reply addressing Petitioner's fourth motion for stay of removal. (Dkt. # 39.) Petitioner's counsel indicated in the reply that he would like an opportunity to brief Petitioner's continued detention without bond in regard to Respondents' answer and pending motion to dismiss (dkt. # 16). (*Id.* at 4.) Petitioner's counsel noted that it was uncertain whether Respondents will be able to remove Petitioner in the reasonably foreseeable future under *Zadvyadas v. Davis*, 533 U.S. 678, 680 (2001) because of current conditions in Ethiopia. (*Id.*)

On March 15, 2021, upon this Court's request (dkt. # 41), Respondents responded that an extension request is not warranted in this matter based on changed country conditions in Ethiopia. (Dkt. # 43 at 1.) Respondents note that the violent conditions in Ethiopia are limited to

1 the northern state of Tigray and that it is currently unknown whether those conditions present an  
2 impediment to Petitioner's removal. (*Id.* at 2.) Respondents further note that Petitioner signed  
3 travel documents for Ethiopia on January 25, 2021, and that the Department of Homeland  
4 Security is now waiting for the Ethiopian embassy to schedule an interview. (*Id.*) On March 16,  
5 2021, Petitioner formally moved for an opportunity to file a traverse to Respondents' motion to  
6 dismiss ("Petitioner's Motion"). (Dkt. # 44.)

7 The Court, having reviewed the briefing of the parties and the balance of the record,  
8 concludes that supplemental briefing from Petitioner's pro bono counsel addressing Petitioner's  
9 continued detention without bond, in light of the current circumstances in Ethiopia, would aid the  
10 Court in its resolution of Petitioner's habeas claims. Accordingly, finding good cause,  
11 Petitioner's Motion (dkt. # 44) is GRANTED. The Court hereby ORDERS as follows:

12 (1) Petitioner shall file a traverse to Respondents' motion to dismiss by **April 9,**  
13 **2021;**

14 (2) Respondents may submit a reply to Petitioner's traverse by **April 16, 2021.** This  
15 will formally conclude the briefing in this matter;

16 (3) The Clerk is directed to re-note Respondent's motion to dismiss (dkt. # 16) for  
17 this Court's consideration on **April 16, 2021;** and

18 (4) The Clerk is directed to provide a copy of this Order to the parties and to the  
19 Honorable Marsha J. Pechman.

20  
21 Dated this 17th day of March, 2021.

22 

23 MICHELLE L. PETERSON  
United States Magistrate Judge